

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ROBERT AVERY,
Plaintiff,
v.
SUSAN KRONES, et al.,
Defendants.

Case No. 13-cv-03372-JST (PR)

ORDER OF DISMISSAL

Re: Dkt. No. 7

On July 18, 2013, petitioner filed this pro se civil rights action pursuant to 42 U.S.C. § 1983. On the same day the action was filed, plaintiff was ordered to file a complete application to proceed in forma pauperis ("IFP"), or pay the filing fee of \$400.00, within 28 days, or face dismissal of the action.

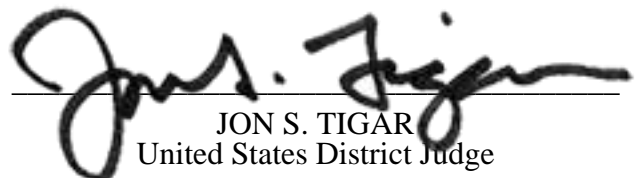
On August 14, 2013, plaintiff filed his IFP application. The IFP application was deficient, however, because plaintiff failed to attach a copy of his prisoner trust account statement showing transactions for the last six months.

More than 28 days have passed and plaintiff has not filed a complete IFP application or paid the filing fee. Accordingly, the action is DISMISSED without prejudice. Plaintiff's motion to proceed IFP (Docket No. 7) is DENIED as insufficient.

The Clerk shall terminate Docket No. 7 and close the file.

IT IS SO ORDERED.

Dated: October 14, 2013


JON S. TIGAR
United States District Judge